

LAKESIDE COMMUNITY COUNCIL

DATE: Tuesday, June 24, 2008

TIME: 7:00 PM

PLACE: Lakeside Water / Sewer Building

ATTENDEES:

- Council: Keith Brown, Dave Anderson, Bruce Young, John Ulrich, Janet Heinze, Barb Miller, Gregg Schoh
- Public: Bill Eisenlohr, Charles Lapp, Kevin Severe, Mark Tanburg, Jacob Doran, Cheri Casper

AGENDA:

1. Lakeside Neighborhood Plan: Monday June 23 public meeting & follow-up reports and actions needed, if any.

MINUTES:

- 1) Minutes from last meeting read and accepted. Barb Miller volunteered to take minutes tonight.
- 2) Lakeside Neighborhood Plan Committee's June 23 public meeting to release final survey results.
 - a) Gregg reported contacting Chief Deputy County Attorney, Jonathan Smith, who's opinion was that.
 - i) The neighborhood planning process followed thus far is valid
 - ii) When the Committee has a draft plan ready to be considered, then all property owners must be notified.
 - iii) There is no requirement to send a survey and no requirements regarding who a survey must be sent to. It is OK that the Committee took this action.
 - iv) In the meantime, whatever Council deems appropriate in providing direction to the Committee should prevail.
 - b) Andrew Hagemer's assessment of process (Andrew is a Planner II, assigned to the Lakeside Neighborhood Plan Committee as advisor from the Flathead County Planning and Zoning Department)
 - i) Copy of Andrew's email is attached.
 - ii) Conclusion: the Planning and Zoning Department do not see a problem with the process being used by the Committee.
 - c) Actions:
 - i) It was motioned (Keith Brown), seconded (John Ulrich), and unanimously passed that Council, as validated by their assigned planning member & the Chief Deputy County Attorney, that the process being followed by the Lakeside Neighborhood Plan Committee is acceptable. Council hereby approves that the Committee move forward with their process. Council acknowledges that legal notices for public meetings must be published and that a reference to the Committee's website be included in these ads.

Email from Andrew Hagemeyer to the Lakeside Neighborhood Plan Committee and others:

From: "Andrew Hagemeyer" <ahagemeyer@flathead.mt.gov>
To: "Gregg Schoh" <gs@montanaland.com>; "Barb Miller" <beach2mnts@bresnan.net>; "Bruce Young" <byoung@landandlake.net>; "Dee Webb" <deewebb@centurytel.net>; "Jacob Doran" <jacobsquill@yahoo.com>; "Janet Heinze" <jdheinze@centurytel.net>; "John & Rita Ulrich" <jnrulrich@bresnan.net>; "Keith & Charlotte Brown" <kbrown@merlindata.com>; "Mark & Tamara Tanburg" <nhabitat@centurytel.net>; "Mike Richeson" <mricheson@dailyinterlake.com>; <LakesideNeighborhoodPlan@yahoogroups.com>; "Jeff Harris" <jharris@flathead.mt.gov>; "BJ Grieve" <bgrieve@flathead.mt.gov>
Cc: "Joe Brenneman" <jbrenneman@flathead.mt.gov>; "Dale Lauman" <dlauman@flathead.mt.gov>; "Gary Hall" <ghall@flathead.mt.gov>; "Jon Smith" <jsmith@flathead.mt.gov>
Sent: Tuesday, June 24, 2008 10:00 AM
Subject: Lakeside NP process

Well, there was a lot of confusion created last night about the process for revising the Lakeside Neighborhood Plan. I believe it is all founded in the last line of the existing Lakeside Neighborhood Plan. This line states *"The amendment process is identical to the initial adoption process and requires local input, at least one public hearing before the Flathead County Planning Board, followed by County Commissioners' final consideration"* I believe the folks last night were saying because you need to follow the initial adoption process you would follow the section in the growth policy on creating new neighborhood plans (Chapter 10, Part 2: pg 147). This section does require a mailing list to be created to notify landowners at the early stages. I however disagree and feel the process is being followed.

Neighborhood Plans are incorporated into the growth policy as addenda. All the existing neighborhood plans including Lakeside are still in effect until revised. So the provisions of the Lakeside Neighborhood Plan are still in effect. This means all the provisions, not some. So if we look at that quote again *"The amendment process is identical to the initial adoption process and requires local input, at least one public hearing before the Flathead County Planning Board, followed by County Commissioners' final consideration"* The first step would be to see if there is a section in the Lakeside Neighborhood Plan on the initial adoption process for the Plan, not to go to the Growth Policy. And in the Lakeside Neighborhood Plan there is Section II. Plan-Development Process pages 2-9 which describe the adoption process for the original plan. So when revising the Lakeside Neighborhood Plan, you would look to that section for the process.

Let's take a real quick look at that process in the original plan, and what we have done underneath.

- The first step was the creation of a steering committee.
 - The creation of the Neighborhood Planning Committee was done by the Lakeside Community Council at the request of the Flathead County Planning and Zoning Office.
- The second step was holding community meetings and steering committee meetings to create a draft.
 - We have held many committee meetings and are in the process of holding community meetings (two have been held and at least 3 more are planned).
 - A draft has not been created yet because we are not at that stage.

The steps continue but we have not reached those stages yet.

There were also a few questions raised that we had not been granted the authority to revise the plan. The Planning Board has directed us to do so, I do not have the date they did that right now, but I can dig it up if needed.

So I feel confident the process is being followed. I hope you do to. If you have any question feel free to contact me.

By the way, Debbie and Barb did a fantastic job last night in front of a tough crowd.